

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
5:23-cv-00093-KDB-DCK**

<b>CHAD JAMES EMKE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>STATE OF NORTH CAROLINA, et al.,</b>	)	<b>ORDER</b>
	)	
<b>Defendants.</b>	)	
<hr/>	)	

**THIS MATTER** is before the Court on review of the docket in this matter.

Pro se Plaintiff Chad James Emke (“Plaintiff”) filed this action on June 20, 2023, pursuant to 42 U.S.C. § 1983. [Doc. 1]. The Court conducted initial review of Plaintiff’s Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 5]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff thirty (30) days from July 6, 2023, to amend his Complaint in accordance with the terms of the Court’s Order. [Id.]. The Court advised Plaintiff that if he failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 5-6].

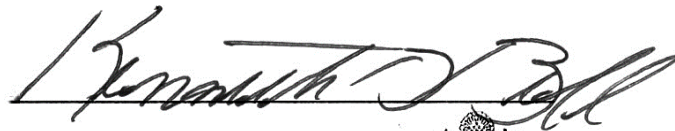
The deadline has passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice.

**IT IS, THEREFORE, ORDERED** that this action is **DISMISSED WITHOUT PREJUDICE**.

The Clerk is instructed to terminate this action.

**IT IS SO ORDERED.**

Signed: August 28, 2023

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell  
United States District Judge

